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July 10, 2020

Honorable Robert W. Lehrburger By ECF
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Clifford McBride v. City of New York, et al.
19 Civ. 9923 (LAK) (RWL)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of City of New York, and the attorney assigned to represent the defendants, The City of New York and Officer Saziye Bilger, in this case. Defendants, jointly with plaintiff's counsel, respectfully submit this letter requesting an additional 60-day stay of this litigation, including all Local Civil Rule 83.10 deadlines in light of the COVID-19 pandemic. This is the second such request; Your Honor granted the prior request.

By way of background, this case is assigned to participate in Local Civil Rule 83.10 (ECF No. 4) and accordingly initial disclosures and some limited Plan discovery have been exchanged amongst the parties. Mediation was scheduled for April 23, 2020, within 14 weeks of when the first defendant answered, as the Plan proscribes. The parties jointly requested a 90-day stay of this matter on April 14, 2020 in light of the COVID-19 pandemic situation which Your Honor granted on April 15, 2020; the stay is set to expire on July 14, 2020.

As an update, currently there is still outstanding discovery which the undersigned has not yet received from the NYPD and criminal court. This outstanding discovery, which includes body-worn camera footage, may directly impact settlement discussions. Due to the size of body-worn camera footage files and the copying of the footage usually onto physical discs, there will also need to be additional arrangements made for the undersigned to be able to obtain the footage. In light of the return of limited staffing to the NYPD unit that handles such requests and court personnel returning to courthouses, the undersigned is cautiously hopeful that the requests pertaining to this case will begin to be processed in the near future.

In light of the above, the parties respectfully request an additional 60-day stay of this matter; which would allow for flexibility between the parties with regards to the deadlines set forth by the Plan, chiefly at this time with regards to the date by which mediation must be held. Thank you for your consideration in this matter.

Respectfully submitted,

Soo-Young Shin /s/
Soo-Young Shin
Assistant Corporation Counsel

cc: Gregory Zenon By ECF
Attorney for Plaintiff

The request for a 60-day stay is granted, and all deadlines are extended for 60 days. No further extensions absent compelling circumstances.

SO ORDERED:

7/10/2020


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE